IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THOMAS E. PEREZ, **Secretary of Labor, United States** **Department of Labor,**	**4:16CV3066**
Petitioner,	
vs.	**ORDER**
BRYAN A. MCFARLAND,	
Respondent.	

This matter is before the Court on the Petition to Enforce Subpoena (Filing No. 1) filed by Thomas E. Perez, Secretary of Labor, U.S. Department of Labor (Secretary). The Secretary applied to this Court for an Order requiring Respondent Bryan A. McFarland to appear and testify, and to produce the records, papers, and documents set forth in a subpoena *duces tecum* issued by the Regional Administrator, Wage and Hour Division, U.S. Department of Labor, and duly served upon Bryan A. McFarland. The Secretary served Bryan A. McFarland on June 22, 2016. **See** Filing No. 8. Pursuant to the Court's May 24, 2016, Order, Bryan A. McFarland had until July 22, 2016, to file a response to the Secretary's Petition. Accordingly the matter is now ready for a hearing,

IT IS ORDERED:

1.   Bryan A. McFarland shall appear and **SHOW CAUSE** why he should not be ordered by this Court to comply with the subpoena *duces tecum* issued to him by the Regional Administrator, Wage and Hour Division, U.S. Department of Labor.

2.   If he has not already done so, Bryan A. McFarland shall immediately, but in any event ten days prior to the scheduled hearing, serve and file with the clerk of this Court, a response to the Petition, specifically admitting or denying each allegation of the Petition, and setting forth any cause why the Petition should not be granted.

3.   Bryan A. McFarland shall appear before the undersigned magistrate judge in the District Court of the United States for the District of Nebraska, in Courtroom No. 7, Second Floor, **Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on the 29th day of August 22, 2016, at 9:30 a.m.**, to show cause why Bryan A. McFarland should not be compelled to comply with the summons served on him on December 14, 2015, by the U.S. Department of Labor.

4.   The Secretary shall serve a copy of this Order on Bryan A. McFarland, forthwith, and file proof of service with the Clerk of the Court.

Dated this 25th day of July, 2016.

BY THE COURT:

 s/ Thomas D. Thalken
United States Magistrate Judge